

BEDFORD CONSERVATION COMMISSION

Minutes of Meeting

December 2, 2015

Selectmen's Meeting Room

Town Hall, Bedford, MA

PRESENT: Steven Hagan, Chair; John Britton, Vice-Chair; Lori Eggert;  
Joseph Guardino; John Willson, Allan Wirth

Elizabeth Bagdonas, Conservation Administrator

ABSENT: Andreas Uthoff

The meeting was called to order at 7:00 pm.

**Continuation of Public Hearing: Notice of Intent: 150A, 158 & 162 South Road – Norse Environmental on behalf of Robert Scarano of Masskey Development Corp. (Quorum: SH, JB, LE, JG, JW, AW, AU) [To remain on the quorum through the Order of Conditions, JW must listen to tape of 11/18]**

The continuation hearing opened with a brief discussion of the new materials submitted, which included a revised plan, and responses to the lists of questions and concerns raised at the hearing of November 18<sup>th</sup>. The submittal had been recent, and not all members had been able to review completely. When asked if the Department of Public Works issues had been addressed, Mr. Scarano stated that the comments had been addressed on the revised plan. Ms. Bagdonas asked if Kristin Dowdy of the DPW had seen the plan revisions. Mr. Scarano also stated that there was a difference between interpretations of the Town and applicant for Standard 2 of the State Stormwater Standards. He felt that there was no clear answer, but that their engineer had used the most conservative approach.

Discussion followed on site use and management issues. Ms. Bagdonas thought that the rain gardens should be clearly separated from “private”, e.g., individual garden areas. Mr. Scarano suggested a fence, which the Commission agreed would be acceptable. Snow management was also discussed, with Mr. Scarano stating that, in order to keep road, driveways and emergency access open, some storms would require snow removal from the site.

Mr. Willson asked Ms. Bagdonas and the Commission to discriminate between technical, information issues, and issues of use and maintenance, as the latter could be addressed in the Order of Conditions.

A motion was made and seconded to close the public hearing; the motion passed 6-0-0.

**Ratification of Enforcement Order: 244 Carlisle Road - Dan Vallerand, Vallerand Builders, Inc.**

Ms. Bagdonas explained the status of the Enforcement Order, which the Commission had approved on November 18<sup>th</sup>, and which had been issued on November 25<sup>th</sup>. Mr. Vallerand had taken photographs of the driveway staking and work, which were passed to the Commission.

A motion was made and seconded to ratify the Enforcement Order; the motion passed 6-0-0; after which the EO was signed as ratified, dated 12/2/2015.

**Public Hearing: Notice of Intent: 244 Carlisle Road - Dan Vallerand, Vallerand Builders, Inc.**

Mr. Vallerand described the project and the process of going forward under the Enforcement Order. In reviewing the photographs, it appeared that the west side of the driveway was higher than the existing ground surface. This made a rather unstable edge, and Mr. Vallerand wanted to bring in additional material, such as crushed stone, to raise the natural edge. Discussion followed on flood storage loss and compensation issues, the Commission deciding that additional material could not be brought in without calculations and a compensation plan. A suggestion was made to feather the existing ground surface next to the driveway up to the edge of the driveway, lowering the nearby yard surface elevation somewhat, and establishing a proper edge without introducing additional fill material. This was acceptable to Mr. Vallerand.

The Commission also reviewed their model Order of Conditions, agreeing with Ms. Bagdonas that numerous special conditions would not be applicable, and should be noted as "N/A". The rest of the special conditions, as well as the findings, would reference the Enforcement Order, describe the site characteristics, and compliance with bylaw performance standards, as applicable.

A motion was made and seconded to close the public hearing and issue an Order of Conditions, subject to conditions addressing the following requirements:

- Completion of west side of driveway edge by raking, without introduction of additional fill
- Steps taken immediately afterwards to stabilize disturbed soils, to complete before the ground freezes
- Re-seeding disturbed soils in spring of 2016

The motion passed 6-0-0, after which the Order was signed.

**Tree Policy**

Ms. Bagdonas asked the Commission to revise the tree policy so that an arborist's statement is not necessary to document a dead tree, which would be subject to photographs submitted by the applicant, and a Commission site visit.

**Order of Conditions: 602 Springs Road – Mark Sardzinski**

Ms. Bagdonas referred to the standard residential model for findings and special conditions, stating that she did not recommend that any of the standard conditions should be waived, or any additional conditions set. The Commission agreed that the standard model should apply to this project. There followed a brief discussion on snow management, but no changes to the Order resulted.

**340 A Concord Road – Acceptance Form**

The Commission reviewed the Acceptance Form included as part of the Quitclaim Deed conveying 340A Concord Road to the Town of Bedford. A motion was made and seconded to accept the conveyance under MGL Chapter 40, s. 8C as worded. The motion passed 5-1-0, with Mr. Hagan voting against, after which the Acceptance Form was signed by all members present.

The meeting was adjourned at 9:20 pm.

Minutes prepared by Elizabeth Bagdonas.

Minutes approved at meeting of December 2, 2015.